

JUDGE DOW

FILED

MAGISTRATE JUDGE SCHENKIER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DEC X 9 2014

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

No. 12 CR 491-10

v.

Violations: Title 18, United States  
Code, Section 371; Title 42, United  
States Code, Section 1320a-7b(b)(1)(A)

MOHAMMED ASGAR

Superseding Information

The UNITED STATES ATTORNEY charges:

1. Beginning in or about 2005, and continuing through on or about March 15, 2011, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

MOHAMMED ASGAR,

defendant herein, together with Maria Buendia and Nixon Encinares, and Farzana Begum until in or about May 2008, did conspire to knowingly and willfully solicit and receive remunerations, including kickbacks and bribes, directly and indirectly, overtly and covertly, in return for the referral of patients to Grand Home Health Care, Inc., for the furnishing of home health care services for which payment may be made in whole and in part under Medicare, a Federal health care program, in violation of Title 42, United States Code, Section 1320a-7b(b)(1)(A).

2. In furtherance of and to effect the object of this conspiracy, defendant ASGAR committed and caused to be committed the following overt act, among others, in the Northern District of Illinois: On or about February 9, 2011, defendant ASGAR solicited and received \$1,500 in cash from Maria Buendia and Nixon

Encinares for ASGAR's referral of Patients A, B, and C to Grand Home Health for the furnishing of home health care services for which payment may be made in whole and in part under Medicare.

In violation of Title 18, United States Code, Section 371.

**FORFEITURE ALLEGATION**

The UNITED STATES ATTORNEY further alleges:

1. The allegations in the information are realleged and incorporated here for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 982(a)(7).

2. As a result of his violations of Title 18, United States Code, Section 371, and Title 42, United States Code, Section 1320a-7b(b)(1)(A), as alleged in the information,

MOHAMMED ASGAR,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), any and all right, title and interest in property, real and personal, that constitutes and is derived, directly and indirectly, from gross proceeds traceable to the commission of the offense.

3. The interests of the defendant subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(7) include, but are not limited to, (1) the total amount of Medicare reimbursements made on claims submitted on behalf of patients for whom defendant ASGAR and Farzana Begum received kickbacks, and (2) the total amount of kickbacks received by defendant ASGAR and Farzana Begum for ASGAR's patient referrals, namely \$230,900.

4. If any of the property subject to forfeiture and described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

- b. has been transferred to, sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value;
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property, under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

All pursuant to Title 18, United States Code, Section 982(a)(7).

*Zachary T. Fardon by JBF*  
UNITED STATES ATTORNEY